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Paper 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

YANN ECHELARD,  
ESMAIL BEHBODI, CAROL ZIOMEK,  
WILLIAM GAVIN, and DAVID MELICAN

Junior Party,  
(Application 09/431,842),

v.

ALEXANDER BAGUISI,  
and ERIC OVERSTROM

Junior Party<sup>1</sup>,  
(Application 09/432,906).

Patent Interference No. 105,140

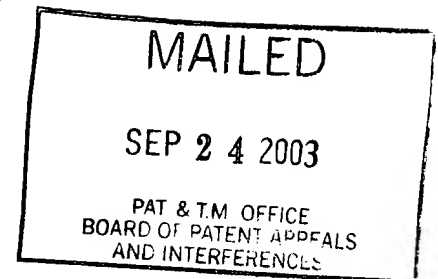
Before LEE, LANE, and MEDLEY, Administrative Patent Judges.

LANE, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Baguisis' has filed, *inter alia*, the following papers:

<sup>1</sup> Both parties have been designated as "junior" since: (1) both involved applications appear to have the same filing date and (2) both involved applications have been accorded the same priority benefit (*infra* at 3 and 4).



(1) A paper identifying the Trustees of Tufts College as the assignee of both the involved Baguisi application and the involved Echelard application (Paper 4);

(2) A copy of what is said to be an assignment of the rights of the involved Echelard application to the Trustees of Tufts College (attached to Paper 4); and

(3) A request for entry of adverse judgment against Echelard (Paper 5).

Upon consideration of the record of the interference, it is

ORDERED that judgment as to Count 1, the sole count in the interference, is awarded against junior party YANN ECHELARD, ESMAIL BEHBODI, CAROL ZIOMEK, WILLIAM GAVIN, and DAVID MELICAN;

FURTHER ORDERED that junior party, YANN ECHELARD, ESMAIL BEHBODI, CAROL ZIOMEK, WILLIAM GAVIN, and DAVID MELICAN, is not entitled to a patent containing claims 1-7, 9, 11-18, 20, 22, 23, 27-38, 50-62, and 66-77 of application 09/431,842, which correspond to Count 1;

FURTHER ORDERED that if there is a settlement agreement, the parties' attention is directed to 35 USC § 135(c); and



cc (via facsimile and first class mail):

Attorney for Echelard and Baguisis (real party in interest: The trustees of Tufts College):

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## INTERFERENCE DIGEST

Interference No. 105,140

Paper No. 28

Name: Alexander Baguisi et al.

Serial No.: 09/432,906

Patent No.

Title: METHODS FOR CLONING ANIMALS

Filed: 11/02/99

Interference with Echelard et al.

### DECISION ON MOTIONS

Administrative Patent Judge, \_\_\_\_\_ Dated, \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

### FINAL DECISION

Board of Patent Appeals and Interferences, favorable Dated, 9/24/03

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Court, \_\_\_\_\_ Dated, \_\_\_\_\_

### REMARKS

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This should be placed in each application or patent involved in interference in addition to the interference letters.